

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOOP AI LABS INC,
Plaintiff,

v.

ANNA GATTI, et al.,
Defendants.

Case No. [15-cv-00798-HSG](#) (DMR)

**ORDER RE APPLICATION FOR
LEAVE TO SUBMIT PRIVILEGED
INFORMATION IN CAMERA**

Re: Dkt. No. 359

On December 10, 2015, the court conducted a discovery hearing and ordered Plaintiff to produce its Rule 30(b)(6) witness for deposition on January 25, 2016. The court also ordered the parties to submit a joint letter addressing remaining disputes regarding Defendant Almaywave USA's 30(b)(6) deposition notice to Plaintiff by December 23, 2015. [Docket No. 323.] The parties timely filed the joint letter regarding the 30(b)(6) deposition notice. [Docket No. 336.]

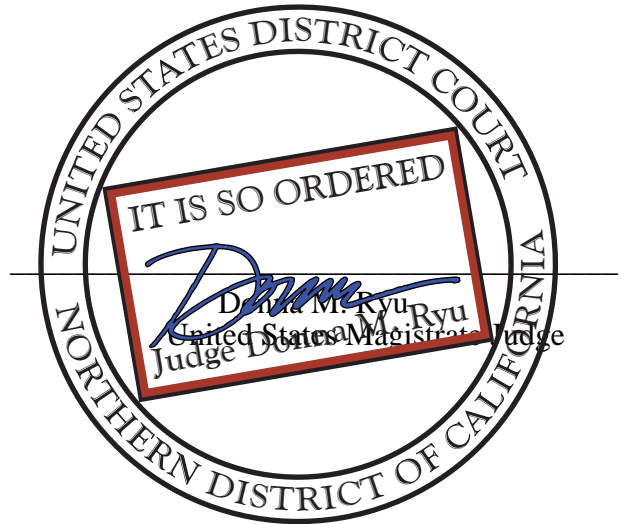
On December 28, 2015, Plaintiff filed objections to the court's order setting the 30(b)(6) deposition on January 25, 2016 with the Hon. Haywood S. Gilliam, asserting that it lacks sufficient time to prepare its Chief Executive Officer to be deposed by January 25, 2016. [Docket No. 347.] Almaywave USA filed a response to Plaintiff's objections in which it states that it does not object to continuing Plaintiff's 30(b)(6) deposition to February 2016 as long as the deposition of Plaintiff's CEO and co-founder, Gianmauro Calafiore, *in his personal capacity* proceeds as scheduled on January 25, 2016. [Docket No. 352.]

On January 7, 2016, Plaintiff filed a "reply" in further support of its objections before Judge Gilliam, reiterating its objections to proceeding with the 30(b)(6) deposition on January 25, 2016, along with an application for leave to submit privileged information in camera. [Docket Nos. 358, 359.] In its application, Plaintiff seeks leave from Judge Gilliam to submit for in camera review a letter detailing reasons for Calafiore's unavailability for deposition in December

2015, “which reasons persist and require additional time for his deposition.” [Docket No. 359 at 1.] Judge Gilliam has referred Plaintiff’s application to the undersigned. [Docket No. 364.] In its application, Plaintiff characterizes the information about Calafiore that it seeks to submit in camera as “highly confidential and . . . not relevant to the merits of any aspect of the case.” [Docket No. 359 at 1.] While it is not clear to the court at this point whether it is appropriate for the information about Calafiore to remain out of the public record, the court provisionally grants Plaintiff permission to submit a one-page letter to the court regarding Calafiore’s unavailability, along with any supporting evidence. This information shall be lodged with the court by the close of business on January 11, 2016.

IT IS SO ORDERED.

Dated: January 8, 2016



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